

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 21, 1965  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, White, Mayor Palmer  
Absent: Councilman Shanks

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles; Chief of Police

The Mayor announced that Councilman Shanks was out of the City.

Invocation was delivered by REVEREND FRANK W. LANGHAM, American Bible Society.

Councilman White moved that the Minutes of the Meeting of October 7, 1965, be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility purposes in, upon, and across a part of Lot 51, Enfield F, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Enfield F of record in Book 3 at Page 194 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described easements; and,

WHEREAS, the City Council has determined that the hereinafter described easements are not now needed and will not be required in the future; Now, Therefore,

## BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described public utility easements, to-wit:

Two (2) tracts of land, each of the said two (2) tracts of land being out of and a part of Lot 51, Enfield F, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Enfield F of record in Book 3, at Page 194 of the Plat Records of Travis County, Texas; the tract of land hereinafter described as Number One containing 67 square feet of land and the tract of land hereinafter described as Number Two containing 59 square feet of land; each of the said two (2) tracts of land being more particularly described by metes and bounds as follows:

NUMBER ONE, BEGINNING at the intersection of a line five (5.00) feet south of and parallel to the north line of said Lot 51 and a line five (5.00) feet east of and parallel to the west line of said Lot 51, which point of beginning is an interior ell corner of the herein described tract of land, and from which point of beginning a steel pin at the northwest corner of said Lot 51 bears North 14° 09' West 6.95 feet;

THENCE, with the said line five (5.00) feet east of and parallel to the west line of Lot 51, South 31° 51' West 10.32 feet to the most southerly southeast corner of the herein described tract of land;

THENCE, North 59° 43' West 1.50 feet to the southwest corner of the herein described tract of land;

THENCE, North 30° 17' East 12.30 feet to the northwest corner of the herein described tract of land;

THENCE, South 59° 43' East 26.50 feet to the northeast corner of the herein described tract of land;

THENCE, South 30° 17' West 1.80 feet to a point in the aforesaid line five (5.00) feet south of and parallel to the north line of Lot 51 for the most easterly southeast corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet south of and parallel to the north line of Lot 51, North 60° 09' West 24.70 feet to the point of beginning.

NUMBER TWO, BEGINNING at the intersection of a line five (5.00) feet north of and parallel to the south line of said Lot 51 and a line 28.40 feet west of and parallel to the east line of said Lot 51, which point of beginning is the northeast corner of the herein described tract of land, and from which point of beginning a steel pin at the southeast corner of said Lot 51 bears South 50° 10' East 28.84 feet;

THENCE, South 29° 51' West 1.40 feet to a point in a line 3.60 feet north of and parallel to the said south line of Lot 51 for the southeast corner of the herein described tract of land;

THENCE, with said line 3.60 feet north of and parallel to the south line

of Lot 51, North 60° 09' West 42.40 feet to the southwest corner of the herein described tract of land;

THENCE, North 29° 51' East 1.40 feet to a point in the aforesaid line five (5.00) feet north of and parallel to the south line of Lot 51 for the northwest corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet north of and parallel to the south line of Lot 51, South 60° 09' East 42.40 feet to the point of beginning.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named and said maps or plans have been considered by the Director of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in LAVACA STREET, from the point of intersection of the easterly prolongation of the centerline of West 11th Street Alley with a line 28.6 feet west of and parallel to the east property line of said Lavaca Street in an easterly direction to the point of intersection of the easterly prolongation of the centerline of West 11th Street Alley with a line 5 feet west of and parallel to the east property line of said Lavaca Street.
- (2) An underground telephone conduit in LAVACA STREET, from the centerline of West 11th Street Alley north-erly to a point 23 feet south of the south property line of West 12th Street; the centerline of which underground telephone conduit shall be 5 feet west of and parallel to the east property line of said LAVACA STREET.
- (3) An underground telephone conduit in LAVACA STREET, from a point in the east property line of said Lavaca Street westerly 5 feet; the centerline of which underground telephone conduit shall be 23 feet south of and parallel to the south property line of West 12th Street.

- (4) An underground telephone conduit in WEST GATE BOULEVARD, from Jones Road northerly 676 feet; the centerline of which underground telephone conduit shall be 4.5 feet west of and parallel to the east property line of said WEST GATE BOULEVARD.
- (5) An underground telephone conduit in WEST GATE BOULEVARD, from Jones Road northerly 936 feet; the centerline of which underground telephone conduit shall be 4.5 feet east of and parallel to the west property line of said WEST GATE BOULEVARD.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman LaRue, carried by the following vote:  
 Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
 Noes: None  
 Absent: Councilman Shanks

The City Manager submitted the following:

"October 19, 1965

"To: Mr. W. T. Williams, Jr.,  
 City Manager                      "Subject: SALE OF HOUSES

"Bids were opened in my office October 18, 1965, at 10:00 a.m. for the sale of four houses that Urban Renewal has turned over to us for disposal by demolition.

"Bids from five different individuals were received and a breakdown of the bidding is as follows:

	<u>1162 Leona</u>	<u>1406 Rosewood</u>	<u>"A"</u> <u>1805 Washington</u>	<u>"B"</u> <u>1805 Washington</u>
A. L. Miller		<u>75.00</u>		
W. L. Johnston	8.52	22.52	45.53	45.53
A. Heyer	<u>59.61</u>	11.71	33.41	33.61
J. H. Means			28.00	28.00
W. W. Krause	32.47		<u>48.69</u>	<u>47.31</u>

"The high bid on each house is underscored in red. Due to the fact that these structures are dilapidated and also the fact that it would cost this office several hundred dollars if we had to demolish them, it is recommended that these bids be accepted.

"If the bids are acceptable, the attached contracts should be signed by you and attested and returned to me in order that we may fulfill the contracts with the successful bidders.

"From: Dick T. Jordan, Building Official  
 Signed Dick T. Jordan (L.E.D.) "

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 18, 1965, for the sale of four houses that Urban Renewal Agency turned over to the City for disposal by demolition; and,

WHEREAS, the bid of A. Heyer, in the sum of \$59.61 for house located at 1162 Leona; the bid of A. L. Miller, in the sum of \$75.00 for house located at 1406 Rosewood; and the bids of W. W. Krause, in the sum of \$48.69 for house located at 1805-A Washington, and in the sum of \$47.31 for house located at 1805-B Washington, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official of the City of Austin, and the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the above bids of A. Heyer, A. L. Miller and W. W. Krause, be and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with said parties.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Council had before it consideration of off-street parking requirements at 2204 Swisher for an apartment hotel. The City Manager stated there were 11 bedrooms, and 11 parking spaces will be provided. Councilman Long did not believe that was enough space in that area. The City Manager stated this was the rule the Council had generally followed--inspead of one space per apartment, there was to be provided one per bedroom. Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of HAL STARKEY for a building permit together with a site plan dated October 21, 1965 meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 2204 Swisher, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of erecting a ten (10) unit addition to an apartment hotel, the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free ciruclation of traffic both on and off the site, is eleven (11) parking spaces; Now, Therefore,

## BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That eleven (11) spaces is an adequate number of parking spaces for the establishment shown on the site plan of HAL STARKEY dated October 21, 1965, for use of the premises for the purpose of erecting a ten (10) unit addition to an apartment hotel.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen LaRue, White, Mayor Palmer  
Noes: Councilman Long  
Absent: Councilman Shanks

Councilman Long made the following statement concerning her vote:

"I think it is too crowded in that area, and there is not going to be enough parking spaces."

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: TRACT 1: A 52.078 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2100-2444 RIVERSIDE DRIVE AND 1501-1615 TINNIN LANE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; TRACT 2: A 54.979 ACRE TRACT OF LAND LOCALLY KNOWN AS 1101-1115, 1227-1423 TINNIN LANE AND THE REAR OF 1117-1225 TINNIN LANE, AND ADDITIONAL AREA: A 3.18 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1117-1225 TINNIN LANE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks



<u>"BIDDERS</u>	<u>AMOUNT BID</u>	<u>TIME</u> (Calendar Days)
Thomas Brothers Construction Company	\$16,583.00	90
S & G Construction Company	\$16,772.00	60
A. W. Bryant Construction Company	\$17,455.00	90
Joe Badgett Construction Company, Inc.	\$18,912.00	90
Floyd Gibson	\$19,938.00	90
C & H Construction Company, Inc.	\$20,400.00	120 "

Mayor Palmer inquired, in line with the alterations to the Austin Public Library, if there would be government participation. The City Manager stated application had been made on this and the Branch Library, and participation would be up to 50-50. After discussion, Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 19, 1965, for the construction of alterations to the Austin Public Library; and,

WHEREAS, the bid of Thomas Brothers Construction Company, in the sum of \$16,583.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Supervising Engineer, Construction Engineering Division of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Thomas Brothers Construction Company, in the sum of \$16,583.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, in behalf of the City, with Thomas Brothers Construction Company.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL A PORTION OF THAT CERTAIN STREET KNOWN AS SWENSON AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT FOR ELECTRIC LINE PURPOSES IN, UPON AND ACROSS THE SOUTH FORTY (40.00) FEET OF THE WEST FIVE (5.00) FEET OF SUCH PORTION OF SAID STREET; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The ordinance was read the second time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

The Mayor announced that the ordinance had been finally passed.

After the Council made an on site inspection of the portion of West 11th Street proposed to be vacated, Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL A PORTION OF THAT CERTAIN STREET KNOWN AS WEST 11TH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT FOR PUBLIC UTILITY AND DRAINAGE PURPOSES; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman LaRue moved that the ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, White, Mayor Palmer  
Noes: Councilman Long  
Absent: Councilman Shanks

Councilman Long made the following statement concerning her vote:

"I think it is a terrible mistake to vacate any of our streets, north, south, east or west. Our pattern of cross-town transportation is changing very rapidly and studies and plans change over night; and just as we regretted the vacation a few years back of 9th Street we may regret the vacation of this particular street, and I vote 'No'."

Councilman Long moved that the petitioners' property on Kenwood and Milam Place be fogged for mosquitoes, as requested. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

The City Manager had a request from Mr. Ray Allen Wolfe, Wolfe's Swap Shop Salvage, to appear before the Council next Thursday to discuss rules regarding displaying merchandise out of doors. The zoning ordinance prohibits displaying merchandise outside the building. Mr. Wolfe had some concern that certain people, including his own establishment had been requested not to exhibit the articles outside. He either wants the ordinance fully enforced against everybody or changed. Councilman Long suggested this request be placed on the agenda for next Thursday.

The City Manager submitted a request from Mr. O. N. Bruck, Postmaster, to close 9th Street in front of the Post Office next Thursday morning during which they propose to have a ceremony and an inspection of a new facility in the Post Office--a self service installation. This is a self service postal unit, the first one to be installed in the United States, and it will permit persons to get stamps, envelopes, etc., when the Post Office is closed. The Assistant U. S. Postmaster General will be present. Councilman Long moved that the Council allow the street to be closed from 10:30 A.M. to 11:30 A.M. on Thursday, October 28th. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

The Mayor stated the public would not be inconvenienced at that time; and since it is the interest of the public he was voting for this.

The Council discussed going aboard the U.S.S. AUSTIN which will be in Corpus Christi, and participating in the ceremonies at 11:00 A.M. on October 30th. The Mayor outlined the plans for transporting those in the official party (24) to Corpus Christi in the Admiral's plane. SENATOR RALPH YARBROUGH, CONGRESSMAN JAKE PICKLE, a representative from the Governor's Office, the Travis County Delegation, the City Council, members of the Navy League and Chambers of Commerce plan to go. The Mayor stated this would be quite a historic occasion, and he urged as many citizens as possible to attend this ceremony. The Captain of the U.S.S. AUSTIN and all the members of the crew are honorary citizens of the City of Austin.

The City Manager stated MR. TOM PERKINS was present to discuss a matter of parking arrangements associated with LaGuna Gardens. Mr. Perkins displayed a drawing of the gardens and proposed parking arrangements, and planting, etc. Councilman Long was under the impression the parking would be to the north. The City Manager explained the original contract provided for that; but the plans had to be revised and the improvements placed on the north instead of south of the lagoon. It is hoped that adequate parking may be provided on the north side, but the space is not available now. The City Manager stated this proposal is for temporary parking since it is anticipated there will be space for them to develop property on the north side of the lagoon. The City Manager recommended that the parking arrangement be simpler than shown on their sketch, and that only a narrow drive be surfaced and parking on the grass be provided as is allowed during the Aqua Festival, until there is a definite need proven for a different

type of parking. Councilman Long did not favor the parking as shown on the sketch, as the first plan she saw did not take up the sand beach reserve. The Mayor asked if Mr. Perkins had any objections to surfacing a scenic roadway through there, keeping in mind it would be open to the public at all times, and providing parking on the grass. Mr. Perkins stated there would be no objections. The City Manager described the area stating vehicles can drive over the area in all kinds of weather without making ruts. Councilman LaRue moved that the City Manager be authorized to enter into the type of arrangement he just discussed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

Mr. Perkins gave a report on the progress, stating buildings were under construction, and the palm trees will be planted next week. Next spring there will be some profusion of flowers.

MR. ROD KENNEDY stated a group of Austin businessmen was interested in bringing a major jazz festival to Austin in April, 1966. Each of the two major concerts would accomodate 10,000 people in reserved seats. It is desirable to have a festival as this in a park area, and there will be a temporary theatre set-up, an arena of 10,000 folding chairs, concessions and other facilities placed into the area. He displayed a preliminary sketch of the layout. Twenty four of the World's biggest names in jazz will be brought in. His request was to lease a portion of Zilker Park, with access to the property for about 30 days, and exclusive rights when the physical plant was being put up for about 10 or 15 days. He asked for a basic agreement now to use the property and then negotiate beyond this commitment for installation of electrical facilities, traffic control, and whatever might be desired by the City. They would like to sell a printed program and souvenir as long as there was no conflict with the right of the concessioner. The Festival would be responsible for cleaning up the area and providing public liability in which the City would be named co-insurers. Mr. Kennedy stated they were offering \$1500 for the period, and would like to suggest in the agreement that they be allowed an option for five more years at the same fee. He also wanted to place a 4 x 16' sign on the area for 15 days stating this is the site of the Longhorn Jazz Festival. Councilman White moved that the City Manager be authorized to enter into the negotiations with Mr. Rod Kennedy and Mr. Tom Gee for the Jazz Festival on April 16th and 17th, 1966. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

The Mayor stated the action of the Council indicates a unanimous feeling that this is a fine thing to bring to Austin. He congratulated Mr. Kennedy and Mr. Gee and wished them the best. Mr. Kennedy stated they talked this Festival out of the Astrodome in Houston.

The Council scheduled hearings on the following tax appeals at 2:30 P.M., Tuesday, November 9th:

C. H. TAYLOR, JR., By Douglass D. Hearne, Chateaux de Ville -  
200 Crockett Street (Reset from October 21st)

DAVID BARROW, 40 pieces of undeveloped property in school district and property in Northwest Hills.

The City Manager brought up for discussion the application of MR. KENNETH WALLACE and MR. W. R. COLEMAN, for the Riverboat Concession. The City Manager had copies of their proposals; and at the Mayor's request pointed out some ideas different from what had been proposed, particularly about the exclusive operation. If an operation of this type were authorized for each person who applies for such a permit in Town Lake, and for shoreline for docking space, the whole shoreline would be full of boat docks and facilities supporting a number of boats in the river. If there are very many operators of boats in Town Lake, no one will be able to do as good a job in providing public service as one could do if he had the assurance he had an exclusive. The Administration Staff studied this and it was of the opinion it would be better to have one regulated concessionaire on Town Lake. This could be contracted with one operator. It would not be desirable to grant that to any one by application. His recommendation was to prepare specifications and conditions on which they could operate and make proposals, call for bids and then the Council could select the best proposal. The City Attorney stated detailed specifications would be spelled out with which anyone who aspired to go into this business would have to conform in order to operate. He stated in this case, the City is not only the owner of the land over which the boats would pass, but is also the owner of the land from which the base of their operation must be conducted. The Mayor asked if this operation would be compatible with the overall development of the Lake in which the Council in principle had adopted. The Recreation Director said this would add an attractive feature to the Lake. The Mayor asked if a private land owner wanted to provide docks and transport their guests, would this prohibit him from putting in that type of installation. The City Attorney explained it would not prohibit his putting in docks which would conform with the regulations of building the docks or the operation of boats by wind or hand power. The Mayor stated someone might come in with a request for a marina. It was stated if there were a public need, the Council would consider the public need in granting such a permit. The Mayor asked the City Manager to bring in a recommended set of requirements and concession agreement that might fit in with the recommendation of the Parks and Recreation Board and the Town Lake Study Committee, and others that have been involved, and bring in a suggested type of proposal for taking bids. Councilman LaRue moved that the City Manager be authorized to study this and bring in a written proposal to the Council. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

The Mayor suggested that this applicant be notified of this action.

Mayor Palmer asked the Council also to look into the information sent out to each Member in connection with the possibility of setting up a procedure or whatever term it might be called on the matter of the Human Relations Committee. He asked the Council to prepare itself to be ready to discuss this by next week.

Councilman LaRue moved that MR. OTTO STERENBERG be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. STERENBERG again reviewed the circumstances concerning the water meters on Koerner Lane, a dead-end street off of Bolm Road. There are five houses and only one water meter, which is in his name, and he is responsible for all of the water bills. He asked that individual meters be set at each house, and he was willing to give the water line. It was pointed out this was an illegal subdivision where an attempt was made to subdivide the property without submission of a plan; and the only way to enforce the regulations pertaining to illegal subdivisions is to refuse to give individual service until an approved plan is submitted. The Mayor stated at one time there was an agreement to get the necessary right of way and that the meters would be installed if the necessary right of way were obtained to make this a 50' street with curb, gutter, and paving. The Mayor inquired what happened to that arrangement, and if the property owners would agree to pay their part of the paving. Mr. Sterenberg stated he did not think they would and they would not have the money, they did not need a paved street. The right of way is 20'. The City Manager stated the City would need to install new lines. Mr. Sterenberg stated four of the five owned their homes, and the fifth was a rent house. The Mayor asked if there were a subdivision in effect at the time this area was developed. It was stated there was one in effect at the time, and the State gave the City jurisdiction five miles beyond the City limits. Councilman LaRue wanted to go look at this situation. The Mayor asked Mr. Sterenberg if he could persuade the people to pave the road, there would be no problem as far as the subdivision ordinance was concerned. Mr. Sterenberg had an unusually long lot on the northern end of Koerner Lane and he did not want to pave all of it. The City Manager suggested the possibility of a cul-de-sac near the north end of his property. The Mayor stated the Council would go by and look at this and try to find out what could be worked out.

Councilman LaRue moved that the Council recess until 2:30 P.M. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
 Noes: None  
 Absent: Councilman Shanks

## RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business, and Mayor Palmer announced the Council would hear tax appeals scheduled.

MRS. JULIUS F. FRANKI	Full Value by Tax Dept. 1964	Full Value by Tax Dept. 1965	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed By Board
600 South 1st St.	Land \$ 70,070	\$ 70,070	\$ 52,550	Not	\$ 52,550
10.75 ac. Lots 2 and 5, Block B, J.E.	Imps <u>13,498</u>	<u>13,498</u>	<u>10,120</u>	Rendered	<u>10,120</u>
Bouldin Estates	Total \$ 83,568	\$ 83,568	\$ 62,670		\$ 62,670

Mrs. Franki was concerned only with the land; not the improvements. Her maps showed she had 9.85 acres, but taxes covered 10.75 acres. There are only

it was in excess of market value. It has decreased in value since he purchased it because access to 2nd, 3rd, 4th and 5th Streets had been closed off, and property values have gone down. He stated not much money was involved, but his purpose was to object to paying taxes in excess of market value. Industrial property on East 4th and East 5th is in excess of market value. In answer to Councilman Long's inquiry about the streets' being closed, Mr. Holloway stated the Interregional Highway made it impossible to get to this property without going in a round about way. He believed 4th Street would be helped if it were opened. Mayor Palmer stated this area should be looked at carefully. The Tax Assessor stated this area was adjusted in 1957 and again in 1961. The Mayor stated the Council would take another look at these lots.

H. M. OETTING		Full Value by Tax Dept. 1964	Full Value by Tax Dept. 1965	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
1300 Lavaca	Land	\$ 54,744	\$ 54,744	\$ 41,060	Not	\$ 41,060
Lots 5 and 6, Block 157	Imps	<u>54,984</u>	<u>77,803</u>	<u>58,350</u>	Rendered	<u>58,350</u>
	Total	\$109,728	\$132,547	\$ 99,410		\$ 99,410

MR. H. M. OETTING stated his appeal concerned depreciation when they built their building, they ran the gas line under the foundation. Recently there was a gas leak somewhere in the area, and the Gas Company put in a new line across the street, took the meter out, and all the lines in the store had to be abandoned. They had to run another gas line on 13th. His argument was the building was 20 years old and obsolescence rather than straight depreciation should be considered. The cost of replacing this line should be allowed in addition to the depreciation. He was not asking about the Gas Company's running the line to his property, but the expense of abandoning his whole system in the store. He knew he would have to pay for the 13th Street paving cut, but he did not want to pay for the cut across Lavaca, although he had not received any bill for either. The Tax Assessor stated this building was 76% good, which is 24% off in 19 years. He stated everybody makes replacements from time to time on their buildings, and generally no changes are made on the value. On the other hand, there is a capital investment on replacement and the taxes were not increased. Mr. Oetting stated the 1% depreciation allowance was not enough. He discussed depreciation in the land values. Mr. Oetting asked for information as to the tax set-up, and when the four year cycle would affect his property, and whether or not every four years a 4% depreciation were allowed; or if money were spent on the building, if it would be added to the value. The Tax Assessor explained this to Mr. Oetting. Mr. Oetting contended his obsolescence had caught up with the depreciation. Mayor Palmer thanked Mr. Oetting, and stated the City was trying to arrive at the market value, and he asked him if he thought his property was worth what the Tax Department had set on it. Mr. Oetting stated he thought it was.

GEORGE T. RAMSEY, TEXAN HOTEL, By Robert Mueller		Full Value by Tax Dept. 1964	Full Value by Tax Dept. 1965	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
125 West 7th St.	Land	\$202,650	\$177,646	\$133,230	\$ 80,000	\$133,230
Eas t 102.66' of Lots 7 and 8, Block 70	Imps	<u>91,894</u>	<u>90,008</u>	<u>67,510</u>	<u>65,000</u>	<u>40,540</u>
	Total	\$294,544	\$267,654	\$200,740	\$145,000	\$173,770

MR. MUELLER stated Mr. Ramsey purchased the Texas Hotel in 1964, thinking they had made an advantageous purchase, they rendered the property at \$145,000 as the actual value -- \$80,000 for the land; \$65,000 for the building. The City appraised it at \$177,000 on the land and \$90,000 on improvements, but the Board of Equalization reduced it somewhat. In answer to Councilman Long's inquiry Mr. Mueller stated Mr. Ramsey knew what the tax valuation was, and he felt he was making a good purchase as the property was rendered at \$267,000. Even with the relief the Board gave, they now come up with the value of \$231,000, which was more than was paid for the property. He listed the rentals on the ground floor. The hotel was leased and the total gross rental was \$1700 a month, and the total State, County and City taxes was \$6,500. The lessee is not operating the hotel, and Mr. Ramsey has had to operate the hotel, and the net income from the hotel has been a loss without any allowance for depreciation. The hotel was built in 1926, and the obsolescent factor was discussed. The Tax Assessor stated this was reappraised last year, and the street unit was lowered \$200.00 a front foot. Sales on 7th Street are very scarce. The Mayor asked Mr. Mueller if he were still getting the gross of \$20,400, would he protest the value. Mr. Mueller said this situation was so far out of line adding it was the land value that was mostly out of line. As to the hotel, he stated Mr. Ramsey had spent \$10,000 in renovating the hotel, and he would sell it today. Mr. Turner explained they made an adjustment on the building bringing it down to 20% good, as it is practically all obsolescent, and stated the Board thought the land was worth \$1800. If one piece of property is changed, there would be no stopping point. Councilman Long stated when he purchased the property he knew what it was listed on the tax roll. Mr. Mueller said there was too much disparity between market value and rendered value, and it was a matter of what is the market value of the property. The value was placed at \$85,000 above the purchase price. The Mayor pointed out if this were leased for a long period of time backed up by a good tenant, that would have some affect on the market value and that would have to be taken into consideration. Councilman Long noted one side of the street was new and handsome and the other was not. The Tax Assessor stated it was hard to take one sale and use that solely as the value of the property without considering what will be done to the surrounding property. It was brought out in the block west, there were four sales that run over \$1500 a front foot. As to the worth of the property, Mr. Mueller stated at the time of purchase, he thought it was a good buy, that it was under the market value, and they added 1/3rd of the price to the value and rendered it as such. There is a different character of building on the south side of the street from that on the north, and both sides are valued the same per front foot. Councilman Long wanted to look at the building. The Mayor stated the Council would try to get an answer as soon as possible.

FRANCES MARIE LeMOND		Full Value by Tax Dept. 1964	Full Value by Tax Dept. 1965	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
405 West 7th St.	Land	\$ 8,273	\$ 8,273	\$ 6,200	\$ 6,200	No Appeal
East 46 ft. of Lot	Imps	12,235	17,897	13,420	9,180	
7, Block 73	Total	\$ 20,508	\$ 26,170	\$ 19,620	\$ 15,380	

Mayor Palmer read a letter Dr. LeMond left regarding the tax increase and asking for a comparison of the construction made, with the increase in taxes; and comparison of the across-the-street values. He stated the Council would decide relief was certainly in order. The Tax Assessor reported Dr. LeMond did not appear before the Board, and he had received a letter from Mrs. LeMond regarding the increase from \$6,000 to \$13,000, and it was pointed out to her the increase was

from \$9,000 to \$13,000. The value was increased as a result of the building that was done at about \$5,700. The Mayor suggested that this be turned over to the Tax Department; and if there is additional information, next week when the others are heard, Dr. LeMond can be called and asked to come over. The Council referred this to the Tax Assessor to see if there were any merit for any adjustments.

The Mayor read a letter from the Students' Association, stating their letter was not a stand for or against the view of the Students for a Democratic Society regarding the United States' position in Viet Nam, they did advocate the right of minority groups to freely express their opinion on such issues. Enclosed was a resolution adopted by the Students' Association of the University of Texas deploring the Council's refusal of a parade permit to the SDS. Mayor Palmer stated he would withhold any comment; and as this is a City of Law, we will abide by the decisions of the Court.

Councilman Long read a letter from MR. RAYMOND McNAIRY, 1012 Ellington Lane, making a complaint of the parking situation in the area since the Tanglewood Apartments had been built. The tenants use all of Bennett Avenue for parking and his driveway is blocked. He asked help in keeping those who lived in the apartments to stay on their own parking grounds. Councilman Long stated it was a serious problem.

The City Manager reported the schools were going to take possession of the land the City traded next to the sand beach to build a school. He read a letter from Mr. Mayhall representing the schools, stating their investigation indicated the building would be needed at the closing of the school year of 1967-68 to relieve the Allan Junior High, part of the Johnston High School, and the University Junior High School. Construction will need to start June 1, 1966. The schools wanted to begin their on site work about March 1st, 1966, and stated it would be impracticable to try to leave the ball diamonds in place. The City Manager recalled when this was discussed, it was decided the best place to relocate both diamonds would be in the area between the Holly Street Power Plant and LaGuna Gardens, and he pointed out the site on the plans. Councilman Long asked to have information on the amounts paid per acre for the two tracts the City was purchasing for this exchange. (The McCandless tract and Dickson property) The City Manager just wanted to review this with the Council and to report that the Recreation was going to have to move out with moving the Police Little League. Councilman LaRue suggested rather than developing the land below the Lagoon it appeared it would be better to step up this procedure if this other tract is going to be developed on the east. The City Manager stated there would be no access yet, as the property they would need is still privately owned. As to the funds to be used in relocating these ball fields, the City Manager stated this was included in the land acquisition agreement. Councilman Long moved that the City Manager be authorized to move out on the project of getting the land cleared for the schools and getting the park land, etc., together. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

October 21, 1965

The Director of Water and Sewer Utilities announced the Southwest Section of the American Water Works Association would hold its meeting in Austin next year. There will be about 1200 people from Texas, Louisiana, Oklahoma and Arkansas.

The Assistant City Manager stated Mrs. Fagan Dickson is having a demonstration of some equipment, "a tree-picker" and she wanted the Council to know they were having this demonstration at 5:00 P.M. at the Recreation Department.

There being no further business Councilman White moved that the Council adjourn. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

The Council adjourned at 4:40 P.M. subject to the call of the Mayor.

APPROVED

Levin E. Palmer  
Mayor

ATTEST:

Edie Massey  
City Clerk